

MORE FRANCHISE TAX LAWING

CITY WON'T ASSENT TO THE REDUCTIONS CLAIMED.

Some \$2,000,000 Paid in Yesterday Which the Comptroller Received For as Paid "On Account"—But Consolidated Gas Pays Its Tax in Full.

The franchise holding corporations of this city are rapidly paying up the special franchise taxes due from them in order to prevent the sale of their properties. By paying the taxes for 1900 and 1901, the franchises are being kept in the city hall, which begins to-morrow at the City Hall. Arrears of nearly \$2,000,000 were paid into the finance department yesterday. Among the companies which sent checks were the Metropolitan Street Railway Company, \$774,825 special franchise tax for 1900 only, and these companies, which paid up for 1900 and 1901:

Christopher and Tenth Street Railway Company, \$5,413; Dry Dock and East Broadway Railway, \$9,178; Forty-second street, Manhattanville and St. Nicholas Avenue Railway, \$13,537; Union Railway Company, \$68; New York Mutual Gas Company, \$66,447; Consolidated Gas Company, \$489,873; and Standard Gas Company, \$176,434.

With the exception of the Consolidated Gas Company all the corporations deducted from the amount of the tax levied upon them the moneys they have paid to the city in the shape of percentages on receipts and fees for car license and other charges. Because of the fact that these deductions if allowed would amount to over \$5,000,000 it has been practically decided by the city to fight the claims of the companies and in acknowledging the checks sent to him yesterday Comptroller Grout was careful to write that they were received "on account."

Sheehan & Collin, on behalf of the Brooklyn Heights Railroad Company, served notice yesterday on Comptroller Grout that the company would not be bound to begin to compel him to deduct from the company's tax not only the car license fees and percentages, but also the five cents toll which is charged by the city for every car making a round trip across Brooklyn Bridge. This would undoubtedly be made a preliminary proceeding to the case which is to be brought to determine the right of the companies to claim such deductions. The Court of Appeals of this State has supported the contention of the companies, but on the decision upholding the special franchise tax act recently handed down by the United States Supreme Court it was held that fees and percentages were looked upon merely as rentals and not as a tax.

ALBANY, June 12.—Attorney-General Julius Mayer announced to-day that he would cooperate with the local law officers in defending the valuations put upon the special franchises of corporations by the State Board of Tax Commissioners. There are over a thousand cases pending in the courts involving litigation as to the value of such franchises for purposes of taxation. In most of the cases it is stated that it will be necessary to secure expert testimony, and the expense of litigation will be too great in any event for the companies to be willing to bear alone. Attorney-General Mayer has made an arrangement with the Corporation Counsel of New York on this matter, and speaking of it to-day he said:

"The city of New York is a large beneficiary under the special franchise tax law recently declared constitutional by the United States Supreme Court. I have conferred with Corporation Counsel Delany, and I am pleased to say that this office will have his hearty cooperation in the litigation which is now pending upon the question of the value of the special franchises. Although certain franchises are in dispute, the matter is one in which the city of New York and other localities are so much interested that they will be glad to consult with law officers of the various localities to the end that, by harmonious and united action, we shall be able to maintain the various valuations fixed by the State Board of Tax Commissioners."

HOLD-UP MAN IDENTIFIED.

Had Speedway Victim's Garments—Toughs Attack Related Governors.

John Holmes, a negro of 158 West Thirtieth street, was held for examination in the Harlem court yesterday on suspicion of knowing something about the assault made on Ida Kaminsky of 231 East Thirtieth street and Samuel Aronson of 116 Siegel street, Brooklyn, on Sunday night, when they were struck on the head with an iron bar by a thug at 185th street and the Speedway.

Policeman Bradley saw Holmes coming from the Speedway early yesterday, and many blocks from where the assault and robbery took place. He could not give any satisfactory account of himself, and he was arrested. When he was taken to the West 123d street station, he would not say where he had been or what he had been doing on the Speedway. He had a bundle of clothes which were identified by the girl and Aronson as their property.

Holmes told the police that he got them from another man, but he would not tell who. He was taken before the young couple at the West 123d street station, but they were unable to identify him. Aronson said that as near as he could tell they were assaulted by a white man, who wore a dark suit and good material.

The girl has a fractured skull, and the physicians at the hospital said last night that Aronson may have one, too.

James Seery positively identified Holmes last night as one of the two men who had held up him and Annie Hanley, in 187th street, near Amsterdam avenue, at midnight on Sunday. The police think the two robberies were perpetrated by members of the same gang.

Charlotte Benson, a governess employed in the family of Mrs. Minnie Goldberg at 204 East 108th street, while on her way home from College Point at 3 o'clock yesterday morning, was seized by three young toughs a block away from her home in East 108th street, and robbed of all the jewelry she had.

The girl said that she was dragged into a stable in the middle of the block and assaulted. Her cries for help brought Policeman McGough of the East 104th street station, who saw three men running away. He gave chase and caught Tony Latassio, 23 years old, of 322 East 105th street. He was identified by the girl as one of the three who had assaulted her, and later was held in \$2,500 bail in the Harlem court.

FIGHT FATAL TO FOUR.

Louisiana Sheriff, Deputy and Two Men Who Resisted Arrest, Shot.

NEW ORLEANS, June 12.—In an affray at Pelmetto, La., growing out of an attempt to make an arrest in a land and mortgage case, one man was shot and three were wounded. The killed a C. F. A. Soileau, constable; Thomas Carroll, constable; and Oscar Fredericks, Sheriff John McGehee's deputy. Soileau and McGehee went to arrest Fredericks, Carroll, his friend, and McGehee over the head with his rifle. The constable, who was on horseback, shot Carroll through the heart, instantly killing him. Fredericks then opened fire with a pistol, killing Soileau and his horse and mortally wounding McGehee.

McGehee, in spite of his wound, drew his pistol and fired, killing Fredericks.

To See the Eclipse in High Latitudes.

The steamship Pretoria of the Quebec Steamship Company's Bermuda service has been chartered by Thomas Cook & Son for a cruise to Labrador. The cruise is in charge of Miss Isabel Rogers Edgier, who has spent several seasons in Labrador. The Pretoria will go as far as Cape Chidley. The party will observe the total eclipse of the sun on the morning of Aug. 30, at Indian Harbor.



Regain Health

A sure, rapid Recovery from disease—increased Strength and healthy Appetite result from the use of—

ANHEUSER-BUSCH'S
Malt-Nutrine
TRADE MARK.

This Perfect tonic builds Flesh and makes Rich Red Blood—It is a Predigested food acceptable to the weakest stomach.

At all druggists and grocers.

Prepared by
Anheuser-Busch Brewing Ass'n
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WABASH BONDHOLDERS SUE.

INTEREST PASSED AGAIN ON DEBENTURES A AND B.

Holders of Debenture B Bonds Say That Money Applicable to Payment of Interest Thereon Have Been Applied Otherwise, or If Not Are Still Available—They Demand an Accounting.

At a meeting of the directors of the Wabash railway yesterday interest was passed on the debenture mortgage A and B bonds. No interest has been paid on the A bonds since January, 1904. The issue amounts to \$3,500,000, and is chiefly held by Russell Sage and the Goulds. No interest has ever been paid on the \$20,500,000 of B bonds. The reason given yesterday for passing the interest on both classes of bonds was that there is no income applicable to paying it.

Alexander & Green of this city and Elenous Smith of St. Louis served a bill of complaint upon the Wabash railroad yesterday in a suit for an accounting brought against the railroad in the Missouri courts by the Mercantile Trust Company, trustee for the B bonds. The suit was brought at the instance of a bondholders' committee.

The bill of complaint points out that the amount of income applicable to the payment of interest on the bonds was to be ascertained by deducting from the gross earnings operating expenses, renewal, improvement and equipment expenses and taxes, rentals, interest and sinking fund instalments accrued on existing mortgages. The bill alleges that money has been spent for all these purposes on properties acquired by the Wabash since the issue of the bonds and therefore not under the head of existing mortgages. The bill also alleges that improvements have been made and equipment purchased to an extent not required by the business of the road. The bill alleges that even upon the erroneous system of ascertainment adopted by the directors there is applicable to payment upon the B bonds at least \$102,358, and upon the B bonds \$892,341.

At the Wabash meeting yesterday Edward T. Jeffery, president of the Denver and Rio Grande and the Western Pacific, was elected a member of the executive committee to take the place vacated by the death of Osean D. Ashley, a former vice-president of the Wabash.

AMALGAMATED EARNINGS.

Reports of the Sub-Companies Show \$33,749,097 Gross and \$8,092,243 Net.

BUTTE, Mont., June 12.—The Amalgamated sub-companies to-day filed with the tax authorities their annual reports, but until all mining companies have made their reports the officials will not give out the details. The five Amalgamated companies, Anaconda, Boston and Montana, Butte and Boston, and Washoe, show aggregate net earnings for the year ending June 1 of \$8,092,243, an increase over last year of \$2,452,217, and total gross earnings of \$33,749,097. The gross and net earnings of the companies are:

	Gross	Net
Boston and Montana	\$14,634,923	\$5,425,420
Anaconda	13,577,343	2,250,963
Butte and Boston	1,440,951	228,196
Trenton	847,421	70,110
Washoe	1,402,957	178,512
Total	1,067,018	

All Amalgamated companies show an increase in the production and earnings with the exception of Trenton, which was closed for several months during the year.

MRS. MACKAY'S VISIT TO JAIL.

Sees Former Coachman, Who Killed a Man, and Gives \$5 to Each Woman Prisoner.

MINNEOLA, L. I., June 12.—Mrs. Clarence H. Mackay is looking out for the interests of her former coachman, Joseph Byrnes, who is under indictment for killing Alexander Kaukuskie. She came to-day from Bar Harbor, Me., in an automobile, accompanied by a chauffeur and a footman, and had a talk with Judge Keogh about the case. She was escorted to the Judge's private residence, where she remained for some time. She visited the county jail later and had a talk with Byrnes.

Byrnes and Kaukuskie had a quarrel at Bar Harbor and in the fight that followed Kaukuskie was shot and killed. Byrnes was arraigned last Monday and pleaded not guilty.

Before leaving the jail Mrs. Mackay gave a five dollar bill to each of the women prisoners confined there and also presented a box of cigars to the keepers. She thanked Assistant Warden Mills for the courtesies extended to her at the jail.

IN BEHALF OF PATRICK.

David B. Hill Makes Application for Re-argument of the Case—Decision To-day.

ALBANY, June 12.—Former United States Senator David B. Hill to-day made formal application to the Court of Appeals for permission to make a motion for reargument in the case of Albert T. Patrick, convicted of the murder of William M. Rice, whose conviction was affirmed by the court on Friday. He made the application to Chief Judge Cullen, and it will be considered by the court at a consultation to-morrow, and a decision will be handed down at 1 o'clock.

It is understood that the court will take a recess until next October at the end of the current week. This being the case, the motion for a reargument could not be made until fall, as it would be impossible for the attorneys interested to prepare their papers on the motion in two or three days.

MATOS IN EXILE ON THE WAY TO FRANCE.

Among the passengers who arrived on the steamship Maracaibo from La Guayra, Curacao and Maracaibo yesterday was Gen. M. A. Matos, the Venezuelan revolutionary chieftain, who has been in exile at Curacao. Gen. Matos, with his family, are on the way to France.

ACTRESS WIFE SUES PREACHER.

Renews Motion for Alimony in Action Against the Rev. Charles S. Brown.

The troubles of the Rev. Charles S. Brown, formerly rector of an Episcopal Church in Brooklyn, and his wife, Florence A. Halliday, will for the second time within a year engage the attention of the courts. Mrs. Brown having made another motion for alimony, counsel fees and the custody of her child.

A similar motion was made last November before Justice Trux by her counsel, Oscar P. Willmann. Justice Trux denied the motion, but gave the plaintiff the right to renew the application upon submission of additional evidence.

The Browns were married in April, 1892, the bridegroom being then a young preacher and the bride a singer in one of the Brooklyn church choirs. Shortly after the marriage Mr. Brown received a call to a pulpit in Gadsden, Ala. In 1901 he received a call to a Brooklyn church, which he accepted, and it appears from the allegations in the complaint of Mrs. Brown that it was about this time their domestic troubles came to a head.

Mrs. Brown determined, with her husband's consent, to go on the stage, and did appear at a Brooklyn vaudeville theater, where she was billed as "Florence Halliday" (wife of the Rev. Charles S. Brown).

They separated in August, 1904. Mrs. Brown gives her reasons for the separation in her complaint.

Mrs. Brown, who is now living in this city with friends, declares that she is penniless, too ill to earn her living and entirely dependent upon the bounty of her friends for support. She has not seen her child since the separation, the boy being in the custody of his father, who is now a resident of Jersey City.

In answer Mr. Brown, through his counsel, P. C. Talmay, makes specific denial of every allegation. The contention is made that no additional evidence is offered to that presented in the original motion denied by Justice Trux.

In addition to the denial of the charge brought against him by his wife, Mr. Brown declares that his wife's present environment is not such as should surround a boy of the age of the child. He says that while he and his wife were living happily together, the woman with whom Mrs. Brown has taken up her abode frequently urged his wife to attend the Arion and the French balls, and strove to have his wife accept invitations to dine with men. This Mrs. Brown denies.

CREDITORS TROUBLE WASHER.

Order of Arrest, Replevin, Petition in Bankruptcy; All in a Day.

William Washer, who turned the Hotel Park View over to the Bryant Park Hotel Company, of which he became president, had a busy day yesterday. He is in the liquor business at 3 East Fourteenth street. He gave bail in \$10,000 on an order of arrest obtained against him in a suit of Henry S. Ketchum to recover \$13,500, alleged to have been obtained by fraud and deceit. He made an assignment for the benefit of creditors to Moses Weill, and he was the subject of a creditors' petition in bankruptcy in which Ketchum, H. H. Shufeldt & Co. and others join. The petitioners allege that he is insolvent; has preferred certain creditors; on June 9 shipped \$1,000 worth of goods to J. A. Fletcher at Poughkeepsie to secure them; was arrested by Sheriff Erlanger in the Ketchum suit; sold goods at less than cost and shipped large quantities away from his place of business. The Sheriff also received two writs of replevin against him, for \$1,235 in favor of Ferdinand Wertheimer, and \$450 in favor of Paul Jones & Co.

Mr. Washer was formerly in the liquor and hotel business at Akron, Ohio, came to this city in 1902 and in April, 1902, purchased an interest in the Hotel Park View, which he carried on until he turned it over to the Bryant Park company. It was only on April 1 last that he opened a wholesale liquor and cigar business at 3 East Fourteenth street, and called it the Fourth Street Liquor Store. He recently made a statement showing assets \$97,000 and liabilities \$10,000.

DERELICT IN WESTBOUND STEAMSHIP LANE.

A dismantled and waterlogged derelict, apparently a three-masted schooner, directly in the lane of westbound liners, was passed off the Banks on Sunday by the Scandinavian American steamship Helig Olav, and the Atlantic Transport liner Minneapolis.

STARRETT HITS BACK.

Expelled Construction Company Makes a Deal With a Locked Out Union.

The Thompson-Starrett company, which several months ago was expelled by the Building Trades Employers' Association for reemploying its locked out carpenters, has now made a deal with the union for a year with Electrical Workers' Union No. 3, which is still locked out.

The company has agreed to employ only members of No. 3 at union wages. Among the Thompson-Starrett employees who have been expelled by the union are the new Grand Central Station and the station of the Pennsylvania Railroad.

The international officers side with No. 3 in its contention that it was unfairly locked out. The union holds that the lock-out was ordered after a complaint had been made that it had ordered a strike in the subway. The complaint was brought before the general arbitration board of the employers' association, which the union says, decided that it had no jurisdiction, as the subway contractors were not in the association, but notwithstanding this the union was locked out.

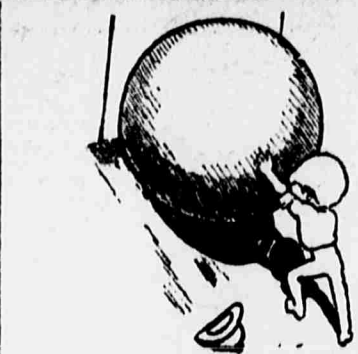
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It is quality that has made the name Lemaire famous. See that this name, spelled L-E-M-A-I-R-E (as above), is on the end and around the eye piece of every Opera and Field Glass you buy; otherwise you will buy worthless imitations.



For sale by all responsible dealers.



It's up-hill work to have any individuality in clothes.

We manage it by working up patterns for mixture cloths which savor of the best custom tailoring; and having those cloths confined exclusively to our suits.

Among our men's suits this Summer every single mixture is exclusively ours.

\$16 to \$38.

ROGERS, PEET & COMPANY.

Three Broadway Street.

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at	at	at
Warren st.	13th st.	32nd st.

James McCreery & Co.

Ladies' Suits.

Tweed Travelling Suits; with medium length Coats.

16.50
value 23.00

Sicilian Suits, with three-quarter length or Eton Coats.

21.00
value 30.00

Taffetas Silk Suits; Various models; with Eton, blouse or long Coats.

27.00 and 35.00
formerly 35.00 to 50.00

Twenty-third Street.

James McCreery & Co.

Silk Department.

On June the 13th.

5,000 yds. white, Japanese, Habutai Silk. Superior, heavy quality. 27 in. wide. Suitable for shirt waists, morning dresses, summer petticoats or gowns.

65c per yd.
value 1.00

Twenty-third Street.

James McCreery & Co.

Silk Petticoats

Made of black and white striped Taffetas Silk. Fine durable quality.

These skirts are well cut and made, finished with accordion pleated flouncings and black ruchings.

7.50 and 9.75

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The designs are early English, French, Colonial and Modern including several floral decorated pieces, and in combination with our showing of light drapery fabrics, afford unusual opportunity for selection, suggesting numerous possibilities for the expression of individuality in dainty and effective decorative schemes.

A FEW SELECTIONS

Enameled Furniture	
Bureau	\$85.00
Bed	345.00
Toilet Table to match	75.00
Chair	67.00
Morris Chair Frame	12.50
Chair LXV	17.00
Rockers	9.00
Table	13.50
Wash Stand	6.00
Slipper Chair	6.00
Rockers	5.50
Toilet Table	\$23.00
Bureau	15.00
Chair	15.00
Cheval Glass	60.00
Chair	7.00
Desk	20.00
Costumer	7.00
Table	8.50
Rockers	4.50
Costumer	3.50
Toilet Stool	6.00

Birch Furniture	
Cheval Glass	\$32.00
Desk	21.00
Wardrobe, Glass Door	47.00
Kidney Top Table	43.00
Wash Stands	5.75
Bachelor Chiffonier	63.00
Toilet Table	\$13.00
Toilet Stool	4.00
Rockers	3.00
Chair	2.00
Bureau	35.00
Chiffonier	\$2.00

Maple Furniture	
Bureau	\$75.00
Bureau	47.00
Chiffonier	43.00
Toilet Table	58.00
Bed	28.00
Chiffonier	19.00
Rockers	\$1.50
Chair	2.25
Slipper Chair	5.50
Desk	15.00
Costumer	1.50
Desk Chair	2.50

There are also numerous other Bureaux, Chiffoniers, Morris Chairs, Rockers and Straight Chairs, Bedsteads, Princess Bureaux, Cheval Glasses, Toilet Tables, Wash Stands, Wardrobes, Desks, Tables, Costumers and other pieces offered both in sets and as individual pieces, suitable for use in Suburban, Seashore and Country Houses as well as in City Homes.

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CLOTHING, FURNISHINGS, AND HATS

Serges for Summer.

You would have been glad yesterday to have one of our excellent all-silk Umbrellas, 26 and 28 inches, with patent runner—\$1.85.

Get it to-day.

Serges are the call for Summer Suits—long and wide with lapels—single-breasted or double—Blue, Black or Wide-wale Gray.

\$15 to \$35.

Rain Coats all the year round.

"No garment, however well-made, can please a man of taste," said Beau Brummell, "unless it is fashionable."

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